



# Mutual Telephone Cooperative Association

A small town business, with big town ambitions.

VIA ELECTRONIC FILING

Received & Inspected

MAY 23 2016

FCC Mail Room

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

May 17, 2016

Re: CC Docket No. 02-33 – Notice of Permissive Detariffing of Wireline Broadband Internet Access Service by Agate Mutual Telephone Cooperative Association – Study Area #462178.

Dear Ms. Dortch:

Pursuant to the Commission's Wireline Broadband Order, Agate Mutual Telephone Cooperative Association hereby provides notice of its intent to discontinue offering wireline broadband internet access service on a tariffed basis. Effective July 1, 2016, Agate Mutual Telephone Cooperative Association plans to offer wireline broadband internet access service on a permissive de-tariffed, common carriage basis.

Please direct any questions to the undersigned.

Sincerely,

DOCKET FILE COPY ORIGINAL

Daniel Hollembeak  
General Manager / CEO

CC: Brandon Gardner - NECA Region Manager

No. of Copies rec'd 0  
List ABCDE

PO Box 38  
38619 Monroe Street  
Agate, CO 80101-0038  
P- 719-764-2578  
F- 719-764-2391  
www.amtca.net





# Mutual Telephone Cooperative Association

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Ms. Marlene Dortch, Secretary  
Federal Communications Commission  
May 17, 2016

## Notice of Permissive Detariffing of Wireline Broadband Internet Access Service Effective July 1, 2016

Agate Mutual Telephone Cooperative Association  
(Study Area 462178)  
38619 Monroe Street  
PO Box 38  
Agate, CO 80101  
719-764-2578

CC Docket No. 02-33

Agate Mutual Telephone Cooperative Association hereby provides notice that it intends to cease offering wireline broadband internet access service on a tariffed basis. Effective July 1, 2016 Agate Mutual Telephone Cooperative Association will begin offering wireline broadband internet access service on a Title II, common carriage, permissive de-tariffed basis pursuant to paragraph 94 of the Federal Communications Commission's Wireline Broadband Order<sup>1</sup>. The geographic areas affected are those Agate Mutual Telephone Cooperative Association exchanges where DSL is technically feasible.

Today, this service is provided to Agate Mutual Telephone Cooperative Association ISP. The ISP purchases wireline broadband access service for use as a component in their broadband internet service sold to residential and business consumers. End user service provided will not be affected by discontinuance of the tariffed offering by Agate Mutual Telephone Cooperative Association. As stated in the attached customer notice Agate Mutual Telephone Cooperative Association will continue to offer services to existing ISP customers under current rates, terms and conditions until the end of their current term or upon replacement with a Broadband Commercial Agreement. Broadband Commercial Agreements will be made available in a nondiscriminatory manner to any provider desiring to purchase wireline broadband access service for use as a component in its broadband internet service sold to consumers.

Effective July 1, 2016, Agate Mutual Telephone Cooperative Association's rates, terms and conditions for its permissively de-tariffed wireline broadband access service will be available at its office located at 38619 Monroe Street, Agate, CO 80101 and on its website at [www.amtca.net](http://www.amtca.net).

<sup>1</sup> See *Appropriate Framework for Broadband Access to the Internet Over Wireline Facilities, Universal Service Obligations of Broadband Providers*, CC Docket No. 02-33, WC Docket No. 05-271, Report and Order and Notice of Proposed Rulemaking, 20 FCC Rcd 14853 (2005). FCC 05-150 (rel. September 23, 2003) ("Wireline Broadband Order").

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May 17, 2016

Prairie Networks, LLC  
38619 Monroe Street  
PO Box 38  
Agate, CO 80101

RE: CC Docket 02-33 – Notice of Permissive De-tariffing of Wireline Broadband Internet Access Service by Agate Mutual Telephone Cooperative Association - Study Area #462178.

Dear Valued Customer:

Our records indicate that Prairie Networks, LLC is currently purchasing wholesale broadband transport service from Agate Mutual Telephone Cooperative Association under NECA Tariff Number 5 ("Tariff"). This letter is to advise you that Agate Mutual Telephone Cooperative Association study area 462178 will discontinue provision service on July 1, 2016, pursuant to the Tariff. Services will be made available to you on a common carrier, non-tariffed basis. The existing relevant rates, terms and conditions will not change until the end of your term or upon replacement with a Broadband Commercial Agreement. Agate Mutual Telephone Cooperative Association's rates terms and conditions for its non-tariffed wireline broadband access service will be available at its office located at 38619 Monroe Street, CO 80101 and on its website at [www.amtca.net](http://www.amtca.net).

The actions described above are taken in accordance with the FCC's Report and Order (FCC 15-150) released September 23, 2005 in Docket No. 02-33. In the order the FCC determined that facilities-based wireline broadband internet service providers could offer their services on a common carrier, permissively de-tariffed basis.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Hollembeak", written over a horizontal line.

Daniel Hollembeak  
General Manager / CEO  
Agate Mutual Telephone Cooperative Association

Cc: NECA Region Manager

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## CERTIFICATE OF SERVICE

I, Daniel Hollembeak, do certify that I have, on this 17<sup>th</sup> day of May, 2016:

1. Served by first class mail a copy of the foregoing Notice of Permissive Detariffing of Wireline Broadband Internet Access Service to the following:

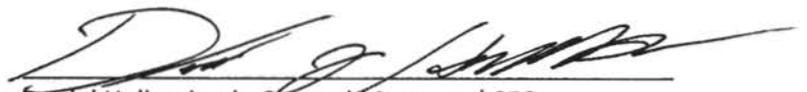
Office of the Governor  
136 State Capitol Building  
Denver, CO 80203

Secretary of Defense  
Attn: Special Assistant for Telecommunications  
1400 Defense Pentagon  
Washington, DC 20301-1400

Colorado Public Utilities Commission  
1560 Broadway, Suite 250  
Denver, CO 80202

2. Serviced via paper copy of the Notice of Permissive Detariffing of Wireline Broadband Internet Access Service to the following:

Prairie Networks, LLC  
38619 Monroe Street  
PO Box 38  
Agate, CO 80101



Daniel Hollembeak, General Manager / CEO

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Agate, CO 80101-0038  
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